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and constitutes an unwarranted interference with legitimate business, but because the provision which allows merchants or manufacturers to issue such stamps constitutes an arbitrary discrimination in favor of such persons. The Virginia statute (1897-8 p. 442) prohibiting the use of trading stamps was declared unconstitutional in *Young's Case*, 101 Va. 853.

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**ESTOPPEL TO PLEAD SPECIAL ACT.**—A case which is rather peculiar because of the novelty of the contention that a person for whose benefit a special act was passed may be estopped to assert it is that of *Bray v. Williams*, 49 S. E. 887. The Code of North Carolina imposes a penalty on registers of deeds for failure to make a record of marriage licenses, and authorizes any person to sue for the penalty. After suit was brought against a register of deeds for failure to comply with this statute, defendant's attorney prepared a special act, which he gave to the county representative, and which plaintiff alleged was passed under an agreement that it was to be introduced and passed through its several readings on the same day, sent to the Senate and passed on the following day, so that plaintiff should have no time to be heard, and it was contended that these facts estopped defendant from claiming the benefit of the act. It was held, however, that as there was no misrepresentation of any fact to the General Assembly, and as it was not claimed that it was passed in violation of any constitutional provision, the principle of estoppel did not apply.

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**EMINENT DOMAIN—DAMAGES.**—The defendant's contention that in assessing damages for the condemnation of a railroad right of way the plans and prospects of the owner of the land should be considered in enhancement of the damages gives rise to the case of *Dowie v. Chicago W & N. S. R. Co.*, 73 N. E. 354. The railway company condemned a strip of land within the limits of Zion City, and defendant Dowie (who, by the way, is the only person who owns any land in Zion City) contended that the facts that he had formed a great plan for the salvation and upbuilding of humanity, had formed a city of 10,000 population in some two years, and intended to gather there all of the 100,000 members of his church, should be considered in determining the value of the land. Other land in the immediate vicinity was worth only \$200 an acre, while defendant claimed that owing to the facts mentioned his property was worth \$13,000 an acre. It is, however, decided, that while every one has a right to entertain any religious belief he may see fit, this right does not carry with it any increased or additional property rights, and that the value of his property when taken for public use must be measured in the same manner as other property owned by other people in the same vicinity and similarly situated.

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**ATTACHMENTS—GROUNDS FOR—SEC. 2959, VA. CODE 1904.**—The following decisions of the Supreme Court of West Virginia, construing sec. 1, Ch. 106, of the West Virginia Code, practically identical with sec. 2959 of our Code,